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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents **BOX PATENT APPLICATION** Washington, D.C. 20231

TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION UNDER 37 C.F.R. §1.53(b)

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventor: Michael P. DALLMEYER, et al.

For:	METHOD	OF FABRICATING	A	MODIII	A TO	THIRT	INTECTO	'n
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- 1. This is a new [X] Utility [] Design [] Plant patent application.
- The papers enclosed to obtain a filing date are as follows: 2.
 - Pages of Specification including <u>18</u>
 - Title Page 0_
 - Pages of Claims
 - Page of Abstract
 - Sheets of drawings containing 7 Figures
 - The enclosed drawing(s) are photograph(s), and there is also attached a [] PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)
- 3. Combined Declaration and Power of Attorney
 - Enclosed and is executed by all inventors.
 - Not Enclosed. X

This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4		Langua [X] []	English Non-English This application is of the MPEP. Ap	plicant(s) await	notification fron	37 C.F.R. §1.52(d) and §608.01 the Patent and Trademark		
			fee.	set for ming the	vermed Englis	h translation and the processing		
5		Assign	ment					
		[]	An assignment of PTO Form-1595,			notive Corporation and a are enclosed.		
		[X]	An assignment wi	ill be filed at a la	ter date.	•		
6		Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S. [] Priority of the following foreign application(s) is claimed:						
		Country		Application No.		Filed		
		Certifi	ed copy(ies): [] i	s/are attached.	[] will follow.			
7	7.	Priority based on provisional application(s) - 35 U.S.C. §119(e)						
F		[]Pri	ority of the followi	ing provisional a	pplication(s) is	claimed:		
-			Application No.			Filed		
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A. Relate Dack - 33 0.5.C. \$117(c	A.	Relate Back -	35 U.S.C.	§119	e)
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[]	Amend the	specification	by inserting before the first line the sen	tence:
	"This applic	ation claims	priority of copending provisional applic	cation(s)
	No	filed on	."	, ,

8. Small entity status

- [] A statement claiming small entity status under 37 C.F.R. §§1.9 and 1.27 is enclosed.
- 9. Fee Calculation (37 C.F.R. §1.16)

CLAIMS FOR FEE CALCULATION					
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$320.00	
Total Claims (37 C.F.R. §1.16(c))	20 - 20 =	0	\$ 18.00 each=	\$0.00	
Independent Claims (37 C.F.R. §1.16(b))	1 - 3 =	0	\$ 80.00 each=	\$0.00	
Multiple dependent claim(+				
			SUB-TOTAL =	\$710.00	
	-\$				
	\$710.00				

10. Fee Payment

[] Not Enclosed. NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.

[]	Please charge our Deposit Account No	o. 50-0310 for the filing fee of \$710.00	0.
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[X] Enclosed.

A check in the amounts of \$710.00 representing the basic filing fee is enclosed. This application is being filed under the provisions of 37 C.F.R. §1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the surcharge fees.

- 11. [X] Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).
- 12. Additional papers enclosed:

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- [] Preliminary Amendment
- [X] Information Disclosure Statement
- [X] Form PTO-1449, 12 documents included
- [] Declaration of Biological Deposit
- [] Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: March 30, 2001

Khoi Q. Ta Reg. No. 47,300

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